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ABSTRACT

The conflicting statements about Yale's beginning made at various times by President Clap definitively shaped his administration (1740-1766) and also Yale's method of government for more than a century thereafter. During the 90 years following the 1792 reorganization of the Yale Corporation no one seems to have questioned Clap's pronouncements, if indeed anyone had effectively criticized them earlier. In 1882, however, Franklin B. Dexter and Simeon E. Baldwin published papers calling some of Clap's pronouncements into question. Two decades later Charles H. Smith repeated their dissents, but none of these Yale professors have been as throughgoing as the situation seems to require. This document examines five components of the several Clapian versions of Yale's early years and also observations about them made or not made by the three men just named. The purpose of this document is to facilitate the study of the evolution of American academic government. Sections of the document cover: (1) The Plan of 1698; (2) Selection of Yale's First Trustees; (3) Petition to the General Assembly for the Founding; (4) The Tradition of Books Donated Previous to the Act of Liberty; (5) Abatements, Misquotations, Distortions. (Author/KE)

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Thomas Clap and the Founding of Yale

W. H. Cowley (June 1971)

The conflicting statements about Yale's beginnings made at various times by President Clap definitively shaped his administration (1740-1766) and also Yale's method of government for more than a century thereafter. During the 90 years following the 1792 reorganization of the Yale Corporation no one seems to have questioned Clap's pronouncements if, indeed, anyone had effectively criticized them earlier. In 1882, however, Franklin B. Dexter and Simeon E. Baldwin published papers calling some of them into question. Two decades later Charles H. Smith repeated their dissents, but none of these Yale professors has been as thorough-going as the situation seems to me to require. Herein therefore I examine five components of the several Clapian versions of Yale's early years and also the observations about them made -- or not made -- by the three men just named.

One further introductory remark: I've written this memorandum to facilitate my study of the evolution of American academic government and also in the hope that its reading by present-day students of Yale's history will interest them and that hence they will direct me to sources of information that I've not yet found. I'd be grateful too for help in correcting errors of fact and emphasis.

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1. The Plan of 1698:

1.1 The Bypassed Quotation Referring to the Plan: In the margin of his 1766 History,[1] Clap listed 1693 as the initial date in the immediate

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1. 201.487A:2. Numbers with page references, as here, refer to my photocopied reproductions of the indicated writings. Should I visit Yale, I'd bring them with me.

process of Yale's founding. The associated text includes a 13-line quotation which in a footnote Clap appeared to ascribe, but without a page reference, to Increase Mather's 1700 Order of the Gospel.

1.2 Questions about the Quotation:

1.21 Does it come from Mather's book? I have a reproduction of its 12-page preface but not of its other 130 pages.[1]

1.22 If the quotation isn't from there, has it been located in other Increase Mather writings?

1.23 If the answer to the question just asked is affirmative, why didn't Dexter discuss the quotation -- or at least cite it -- in his 1916 Documentary History of Yale University?

1.24 Why, in turn, did Baldwin in his 1881 paper[2] disregard the quotation, and why did Smith in his of 1901[3] play it down?

1.25 A number of possibilities bearing upon these questions come to mind: (1) that Dexter looked for the source of the quotation before and after he first alluded to it in 1876[4] but, not being able to find it, put the problem aside and eventually forgot it; (2) that Baldwin

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1. 201.540. Just before the completion of this memorandum I received word from Mr. John S. Whitehead that he has generously read the copy of the book in the Yale Archives and has not found the elusive 13 lines or anything resembling them.

2. "The Ecclesiastical Constitution of Yale College," of a year later, pp. 405-442. 201.480. New Haven Colonial Historical Society Papers, 1882.

3. "The Founding of Yale College," also read before the New Haven Colonial Historical Society in 1901 but not published in its Papers until 1908, pp. 34-64. 201.537. See Item 1.32(3) below in the text.

4. "The Founding of Yale College," 1876, read before the same society in 1881 and published in its Papers of 1882, pp. 1-31. 201.475.4.

did not refer to the quotation because Dexter, his antecedent, had dealt with it so briefly if not incidentally; (3) that the source can be found in the writings of Cotton Mather who, Dexter at one point believed, wrote the first extant plan for the organization of Yale[1] and which I discuss in Item 1.31 below; (4) that if the elusive lines aren't in any of these places, it can reasonably be assumed that they come from a now-lost document; or (5) that in the light of other facts about Clap's polemical tactics it can more reasonably be concluded he fabricated the 1698 plan and the description of it which he gave in his History.

1.3 The Neglect of the Alleged 1698 Plan: Much more important than the quotation per se is the neglect of the plan it proposed. Its significance lies in the plan's advocacy of a Connecticut college governed by "a president and ten inspectors or trustees" and also in Dexter's omission of any reference to it in his 1916 volume, Documentary History of Yale University. There he published two other pre-charter documents: (1) "Proposalls for Erecting an University" which suggested "twelve . . . inspectors of the university"[2] and (2) Increase Mather's letter of September 15, 1701 which declared for "7 inspectors" to govern what he called both "an academical school" and "our college,"[3] In 1876 Dexter had also disregarded the 1698 plan and made only a tangential reference to Clap's 13-line

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1. In his Harvard in the Seventeenth Century, 2:500, Morison suggested that in his Magnalia Mather may have had the founding of Yale in mind. Nothing in the pages to which he refers, however, confirms that idea.
2. Page 4, 201.541A.
3. Page 7, 201.541B.

quotation.[1] The following comments and questions result from these circumstances.

1.31 Dexter's Inconsistencies: When writing his 1882 paper (that is, in 1876 or somewhat sooner) Dexter had before him Clap's published History as well as his 1747 draft. He also had in hand the MS. of "Proposalls for Erecting an University," to which in his paper he gave a different title from its caption. Further, he made some comments about this document which inexplicably he seems never again to have repeated or even to have alluded to. They read:

> . . . it is not remarkable if the earliest document in our archives proves to be "A Scheme for a College," furnished from Massachusetts. The manuscript with this title [sic], addressed in the well-known hand of Cotton Mather, and endorsed by the Rev. James Pierpont, "Instructions for a Collegiate School," is undated by the author, but President Clap has marked upon it the date 1700, though in his printed Annals[2] (p. 2), he assigns it to the year 1698.

I have a photocopy of the manuscript cited,[3] and about it can be said (1) that the title Dexter therein quoted ("A Scheme for a College") is almost certainly a filing notation since the "Proposalls" title appears at its beginning, (2) that the notation seems to be in the same handwriting as that of the manuscript itself which raises a doubt about who composed the document, (3) that nowhere in it or on the document can be found the endorsement Dexter credited to Pierpont, and (4) that in a quite different handwriting under what I have called

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1. 201.475:4

2. Clap's 1766 book, of which I have copies of the first five pages (201.487A) and of pages 68-71 (201.555) is titled The History of Yale-College, not Annals. I'm curious about Dexter's use of the latter. Could it be the title used on the 1747 draft?

3. 201.487C

the filing notation, however, appears the following:

To the Reverend

Mr. Noyes of Stonington
Mr. Buckingham of Say-Brook
Mr. Pierpont of New Haven

Since apparently Dexter never flatly named Cotton Mather as the author of the "Proposalls," it seems to follow that in 1876 and later he wasn't sure about his penmanship. Are any authentic samples of it available? Bills for Clap's and Pierpont's? See item 3.3 below.

Perhaps relevant here is another consideration about Dexter's review of Yale's initiation, namely, its date of publication. He read his paper at the February 14, 1876 meeting of the New Haven Colony Historical Society, but it didn't appear in print for another six years although in 1877 the Society published a volume of its papers. A possible explanation is that Dexter himself counseled the postponement because he knew that some of the long-dominant clerical members of the Corporation intensely disliked the 1872 replacement of the typically inactive six state senators by as many crusading alumni fellows. It should be recalled that in 1869 Dexter had begun his 30-year tenure as Secretary of the Corporation and therefore had first-hand knowledge of the clerical sentiments of President Noah Porter and of other clerical fellows.

In the Yale-Harvard Dexter Papers there are several puzzling problems about Professor Smith's 1901 review of Yale's early years.[1]

1. 201.537. Smith also wrote the chapter about Yale in Chamberlain's Universities and Their Sons, 1898; but his observations there about President Clap are relatively superficial.

He read his paper on May 20, 1901 before the same society as Dexter had read his similarly titled 25 years earlier. Observe the date -- exactly five months before the beginning of the Yale Bicentennial. Four ministers preached sermons and another read a 51-page address on Yale's activities in theology and missions, but no one gave an overview of Yale's history. Such singular neglect of a primary raison d'être of the ceremonies brings several questions to the fore:[1]

(1) Did Smith write his paper for delivery during the Bicentennial? (2) If so, did someone in power decide against its presentation then and hence lead Smith to decide upon reading it at a meeting of the New Haven Colonial Historical Society? (3) Why did Smith delete the quotation marks when, on p. 39[2], he reproduced the 13-line quotation discussed above and, moreover, do the same twice again with Clap's History -- see Items 5.23 & 5.32 below? (4) Why in a 1903 article, "Early Struggles in American Education,"[3] did he virtually accept Clap's version of Yale's founding by clergymen as "fact" when two years earlier he had expressed considerable doubt about it?

The just-listed questions concerning Smith's historiography together with those raised about Dexter's may be answered, illuminate

1. Almost certainly President Woolsey, Yale's first lay president and an ex-officio member of the Yale Corporation, would have objected to the tone and many of the statements in the paper. He would have considered it a slap at the Corporation and their friends since the version of the past had not been threatened by the gradual participation of laymen in the government of the University.

2. 201.537

3. The Connecticut Magazine, Vol. VIII, 1903-04. Pages 183, 201.488.

the alleged 1698 Plan. Possibly not, or perhaps no answers to some, if not all, can be found. Asking them, however, has the utility of urging caution in discussing Yale's emergence. The other four components of Clap's statements accentuate the need.

2. Selection of Yale's First Trustees: Clap wrote four statements[1] asserting that ten trustees were selected before the passage of the 1701 Act of Liberty. They include some internal inconsistencies and do not agree with contemporaneous evidence about the events leading up to the enactment.

2.1 Clap's Statements: These include three elements: (1) ten ministers; (2) their nomination by other ministers; and (3) both ministerial and general approval of the nominations. In the quotations given herewith I italicize the words and phrases bearing upon these three crucial ingredients of Clap's thesis.

2.11 "Religious Constitution of Colleges," 1754: In nothing that Clap published before 1754 have I been able to find anything directly bearing upon the selection of Yale's first trustees.[2] His statement in the 1754 pamphlet, his first on the topic under review, reads: "It was founded A.D. 1701 by *ten* principal ministers in the Colony of Connecticut upon the desire of *many* other ministers and people in it."[3] Observe that nothing here relates to the nomination of ten trustees and that it describes the endowers as "many" ministers and people in general.

1. Appendix A, Extracts 1, 2, 3, 4.

2. Clap is said to have written the original draft of the 1745 Charter; but because its certain form is the finished instrument and not certainly known, and also because Baxter did not list it among Clap's writings, the charter is not here considered. 201.442:271-74.

3. 201.485:7.5.

2.12 MS. of "Reply to the Memo[illegible]rial for a Visitation of Yale College," 1763: This longhand document i[illegible] dated "May, 1763" and appears to be in a script different from any [illegible] of the three on the "filing notation" page of the "Proposalls" of 170[illegible] -- see item 1.31 above. Clap's statement here reads: ". . . We beg[illegible] leave to inform your Honours that the design of erecting a college in [illegible]Connecticut was first concerted by the ministers who nominated and des[illegible]ired ye ministers to be undertakers, partners or trustees; . . . Afterwards . . . a memorial was forwarded to this honourable assembly by a great number of persons . . ." in its support.[1]

2.13 Review of Clap's 1763 Appearance before the General Assembly: I've been able to find only two early accounts of this occasion -- Clap's in his 1765 History, pp. [illegible]; and Trumbull's in his 1818 History of Connecticut, 2:324-[illegible].[2] The latter is largely a reproduction of the former from whi[illegible]h, pp. 70-71, I've taken the following passage.[3] I indent it both for emphasis and because of the need to refer to it again later:

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1. [illegible]201.1063:4.23. Was this document ever published? Also was it prepared in advance of the session of the General Assembly? If so, how did Clap [illegible] pre-session reading, read it in person during his response to the record which accounted for his summons there, [illegible].

2. [illegible] as extraordinary that, on such one- historians have typically hailed Clap's t triumph for him and for Yale and, ly over the events following Clap's through 1792 his opponents immediately [illegible].

3. [illegible] nts of his 1763 day in court ever been win mentioned the one written in long- nd: (1) did they know about it when d it become known to, and when [illegible] they wrote their farewell (?) [illegible] accessioned by, Yale archivists?

> That the first trustees, undertakers and inspectors, who were nominated by the ministers with the general consent of the people, and by contract became a society or quasi corporation (as my Lord Coke says) near two years before they had a charter, were the founders of the college; and that they formed it by making a large and formal donation of books above a year before they had a charter from the government.

Observe that this statement agrees pretty much with that in Item 2.12 but (1) does not mention the number ten and (2) "a great number of people" has been changed to read "the general consent of the people."

2.14 Description of a 1699 Quotation on an Early Page of His 1766 History: Clap didn't need to profess "ministers" in the last item with "ten" because on p. 3 of his History[1] he used that number in the following text printed opposite "1638" in the margin: ". . . in the lesser conventions of ministers in associations and councils, and in private conversation, ten of the principal ministers in the colony were nominated and agreed upon by a general consent both of the ministers and people. . . ." On the next page Clap referred to "a large number of ministers and others."

2.2 Internal Inconsistencies: In all four statements Clap alluded to ten pre-charter trustees, but not until he wrote his longhand memorandum in 1763 did he assert that they had been nominated by other ministers. Also, the endorsers of the "nomination" moved up from "many" in 1754 to "a great number" in his 1763 memorandum and in his 1766 History to "a large number of ministers and others" who represented "a general consent."

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1. 201.487A

2.3 Disagreements with Contemporaneous Evidence:

2.31 The 1701 Act of Liberty: The Act[1] constitutes the first record I've seen of the number and identity of Yale's ten original trustees. Nothing in it bears upon any of Clap's three allegations: (1) no nomination, (2) of the ten, (3) by anyone.

2.32 Dexter's Chronology: In reproducing the "Preambula" as the first entry in his Documentary History, Dexter called it "the earliest extant document in Yale history," but he could not date it beyond "perhaps the spring or early summer of 1701."[2] Thus August 7, 1701 is the first authentic date named to the present time in the process leading to the Act of Liberty. Samuel Sewall referred to it in the first sentence of his letter of September 17th to James Pierpont which reads:

> Sir,
> The letter subscribed by Mr. Chauncy, Buckingham, Pierson, Pierpont & Saltonstall, bearing the date of August 7th came to hand August 26."[3]

Since Dexter did not reproduce Sewall's letter from the five ministers, one can assume that it had not come into the possession of Yale when he published his book in 1916.[4] Be that as it may, the significant fact here is that Dexter's chronology includes nothing which supports Clap's assertions about ten ministers being nominated by other ministers

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1. 206.1459.7
2. 201.541A:1.2
3. 201.541C:8.1
4. Has it since? What about the possibility of its being in other colonial collections?

earlier than the October legislative action or about the selection being consented to generally by either ministers or laymen.

2.33 Eight Trustees Contemplated in Mid-September, 1701: On the 17th of September, that is less than a month before the General Assembly passed the Act of Liberty, Abraham Pierson wrote John Eliot, leading Connecticut lawyer, for advice. He asked six questions about what Eliot in his response called the "great design . . . to erect a Collegiate Scool."[1] The third of the six had to do with the governing board to be composed, in Eliot's words, of the "said 8 Elders and said Master."

Not of interest here is Eliot's suggestion that "a third person or persons" act as trustees, and that the "Scool . . . be managed" by the eight elders and the master. Insistently interesting, however, is the number eight. It not only confirms one's already-aroused suspicions about Clap's ten but also about the likelihood of any proceedings of nomination and endorsement ever having occurred. In short, one cannot easily escape the conclusion that this second component of Clap's medley of versions must, like the first, be labeled a probably invention.

2.34 Some Questions: Assuming that just before the action of the Legislature, eight ministers and a head for the school were thought the desirable number of trustees, which of the ten named in the Act would they be? The answer must surely include the five men named in documents antecedent to the enactment, to wit, James Noyes, Israel Chauncy, Thomas Buckingham, Abraham Pierson, and James Pierpont.

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1. Dexter, Documentary History, 201.5h1C:13-15

One of each of the documents also named Gordon Saltonstall and Samuel Russel, but they weren't among the ten. Why not? Could it have been that the group decided that Saltonstall would be more useful to the enterprise by working in the background with Governor Fitz-John Winthrop, his close friend and leading parishioner, and with other members of Connecticut's civil government? His political prowess is attested to by his selection in 1707 as governor, a most extraordinary role for a minister in the light of Calvinist polity. He remained in office until his death 17 years later, meanwhile giving up his New London pulpit. It would be useful to know whether anyone has ever assessed his long-time influence on early Yale. Concerning Samuel Russel see Item 4.34 below.

Meanwhile what about the four others who made up the total of nine (8 elders and the master) indicated in Pierson's letter? Presumably Pierson and his associates had in mind four of the five who first became part of Yale's history by being named in the Act of Liberty -- Samuel Mather, Samuel Andrew, Timothy Woodbridge, Noadiah Russel, and Joseph Webb. Which four? When and why did they decide on the fifth?

3. Petition to the General Assembly for the Founding: Clap first referred to such a petition in his longhand memorandum of 1763, there calling it a memorial. Nine years later in his History he called it a petition, the word being followed by 13 lines within half-quotation marks, thus implying that they came from the purported petition.

3.1 Clap's Two Statements:

3.11 1763 Longhand Memorandum: After various donations had been made

(see Item 4.16) the promoters of the collegiate school

> . . . upon further consultation upon the question, whether it was best for them to have a charter of incorporation or not, a memorial was presented to this honourable assembly by a great number of persons, desiring that the trustees, partners, or undertakers before named might have full licence or liberty granted to them and to their successors to found, erect, endow, and govern the said school . . .[1]

3.12 The 1766 Statement: In 1701 and before the passage of the Act of Liberty, Clap wrote

> . . . a large Number of Ministers and others, drew up and signed a Petition to the Hon. the General Assembly, representing, "That from a sincere Regard to, and Zeal for, upholding the Protestant Religion, by a Succession of learned and orthodox Men, they had proposed that a Collegiate School should be instructed in all Parts of Learning, to qualify them for publick Employments in Church and Civil State; and that they had nominated ten Ministers to be Trustees, Partners or Undertakers for the Founding, Endowing and Ordering the said School, viz. The Rev. Mr. James Noyes, Mr. Israel Chauncy and the rest before mentioned. And thereupon desired that full Liberty and Privilege might be granted to the said Undertakers for that End."[2]

3.2 The Petition a Fiction: The Act of Liberty begins with a reference to a petition: "Whereas several well disposed, and publick spirited persons . . . have expressed by petition their earnest desires" etc. Nonetheless no one ever petitioned the General Assembly about the projected collegiate school. Dexter has made this clear in his Documentary History where he reported (pp. 15-17) that Pierpont, the acknowledged leader of the "undertakers," had added the words "by petition" t the draft of the Act written by Sewall and Addington.[3]

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1. F201.109:4
2. 201.487:4.5
3. 206.1459:7.1
4. 201.541E:17.4

Where, then, did the quotation that Clap used in his History come from? See Item 3.12 above. The answer seems unavoidable: from Clap's king-size imagination.

3.3 Some Questions: Dexter could make his statement about Pierpont's emendations because in 1916 the Yale Archives possessed the Sewall-Addington draft. That should make it possible to answer the questions I've asked toward the end of Item 1.31 above about Pierpont's handwriting on the "Proposalls" document thereby perhaps helping to determine its author.

Another question: since in his other writings Dexter seems not to have referred to Pierpont's revisions of the Sewall-Addington draft, can it be ascertained when the Yale Archives acquired and accessioned it? The answer would throw interesting lights on the omission of reference to the spurious petition by Baldwin and Smith.

4. The Tradition of Books Donated Previous to the Act of Liberty: Nothing about Yale's founding appears to have been affirmed more persistently than the story of books having been donated by the ministerial sponsors of the Collegiate School some time before the General Assembly sanctioned the enterprise. I have just labeled the donation a tradition; but until Dexter and Baldwin published their scrutinies of it, everyone appears to have considered it a firm fact. Indeed, so solidly had the story been established in Yalean lore that it took several decades after Dexter and Baldwin had done their spoiling for the belief in the tale's unquestioned truthfulness to give way to the less dogmatic concept of traditional probability.

Actually this fourth component of Clap's versions of Yale birth has such wobbly

foundations that in my judgment it can be labeled an allegation at best. I give the reasons for this conclusion in the process of discussing five questions: (1) Were any books given? (2) If so, how many? (3) By whom? (4) When? and (5) Where?

4.1 Clap's Answers:

4.11 Were Any Books Given: Yale's president answered affirmatively on four occasions beginning in 1747 and ending in 1766 just before his death. As developed below, each time he gave a different date.

4.12 How Many Books Were Given? Clap answered this question in three places. On the fourth page in his 1763 memorandum he called them "a large number."[1] Early in his History he moderated his estimate to "a number" and implied that "40 volumes in folio" had previously been accumulated.[2] Sixty plus pages later he reaffirmed "a large number."[3]

4.13 Who Were the Donors? Clap named only his mythical ten ministers as a group, referring to them in the same three places as above. He used the phrase "each of them" in his longhand memorandum after he had listed their names.[1] He called them "the founders" when alluding to his 1763 address in his History[3] where, on an earlier page, he put into circulation the oft-repeated story about the there-listed ten making their gifts with some such ceremonial declaration as "I

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1. F201.109:4.23
2. 201.487A:3.45
3. 201.551A:71.1

give these books for a college in this colony."[1] Nothing, I think it can be safely said, has been more influential in keeping alive Clap's book-donation claim than this fictive anecdote.

4.14 When Did the Event Happen? Dexter pointed out that Clap named 1702 in his unpublished 1747 draft of what 19 years later evolved into his History,[2] but he never proposed that date again. In his Religious Constitution of Colleges of 1754 he replaced it with 1701 after the passing of the Act of Liberty.[3] Then in his 1763 memorandum Yale's resourceful president changed the time to "a year or two" before the enactment which, be it remarked, could be interpreted to have been 1699 or even 1698. He used similar phraseology in the middle of his History[4] although on page 3 he cited 1700 in a marginal signpost when quoting the famous declaration.[1]

Dexter disentangled these confusions in his 1882 paper and, after politely but firmly questioning Clap's veracity, suggested that the books were given late in September, 1701, that is, before the action of the Legislature.[2] I shall be explaining presently why I disagree both with Clap's peripatetic chronology and with Dexter's "conjecture."

4.15 Where Did the Ceremony Take Place? This question Clap answered only once, to wit, in his History where he so effectively helped the dramatic quality of later versions of Yale's incubation by stating that the ministers used the I-give-these-books litany in Branford,

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1. 201.487A:3.45
2. 201.475:20-23
3. 201.485:9.4
4. 201.551A:71.1

the territory of the Reverend Samuel Russel. They gathered there for the ceremony at some unspecified date, he reported, after they had "met at New Haven and formed themselves into a body or society."[1]

4.16 Clap's Answers Summarized: A sizable number of books were formally presented for the library of the envisioned college by ten ministers when they assembled in Branford following an earlier group consultation in New Haven, the time of both meetings most probably being during 1700 but unquestionably before the passage of the Act of Liberty.

4.2 Clap's Answers Assessed: I am enlarging in my book upon the just-given reasons. Here I concentrate on Clap's statements, contracting the five questions of the last sections into four: (1) Were any books given? (2) How many? (3) By whom? and (4) Where and When?

4.21 Were Any Books Given? Dexter, Baldwin, and Smith ferretted out the evidence on this topic and concluded that beyond doubt books were indeed given, but they differed about when although not where. On the score of the actual contributions, however, they were both thorough and convincing, and so I need do no more here than cite the appropriate page references to their papers.[2]

4.22 How Many? The three men just named concluded that the number of books contributed has never been known and probably can't ever be. In itself it's a trivial topic; but the inevitably-conjoined problem of donor identity has very considerable significance.

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1. 201.487A:3.45
2. These are identified in footnotes 2-4 on p. [illegible] above. The specific pages are Dexter 20ff [201.475], Baldwin 421ff [201.480], and Smith 41ff [201.537].

4.23 Who Gave the Books? Clap made no identifications, referring only to his mythical ten. Dexter, Baldwin, and Smith looked into the question of individual givers and, after eliminating James Noyes from the list (see three paragraphs below), apparently accepted what President Ezra Stiles and William L. Kingsley wrote about them in 1784 and 1879.

Concerning the former's list of books then owned by Yale, it would be interesting but probably not consequential to know the reason for his assumption that they had been given by the original trustees.[1] The same goes for the source of the tradition mentioned by the latter, that three of the ministers (Chauncy, Pierson, and Pierpont) gave a total of 53 books.[2]

More significant, I think, is whether or not Clap referred to the alleged books in the catalogue he made of Yale's collection soon after he became Yale's rector. This is one of the inquiries I'll be making when, soon or late, I visit New Haven. Then I'll also want to learn more about Edwin Oviatt whose The Beginnings of Yale, 1701-1726, along with a passage in Dexter's paper,[1] have primarily been responsible for my delving deeper into the question of donor identity. The Dexter passage reproduces a letter of James Noyes,[3] the oldest of the ten men whose name heads the list in Yale publications of those called "The Founders." He agreed therein to join unnamed

1. Dexter, 1882, 201.475:4.5
2. Kingsley, 201.470:69.20.3
3. Dexter, 1882, 201.475:20-21

colleagues in giving books to the library. The letter is dated October 28th, that is, half way between the promulgation of the Act of Liberty and the first meeting of the trustees in their capacity as appointees of Connecticut's civil government. It opened with the acknowledgement of an undated communication from Pierpont "subscribed by the other reverend [but unnamed] gentlemen." It explained why he would not be attending the initial meeting of the trustees in Saybrook two weeks later and then went on to tell of his desire to participate in "so public a good" as the library project. He dilated upon his weariness from traveling to and from an earlier meeting by which he undoubtedly meant the one during which "the other reverend gentlemen" had made an agreement to give books for the library. It could have been that which Clap had placed in New Haven or another which he had placed in Branford, but about that focal problem later.

My coming upon Dexter's reproduction of Noyes' letter and then of Oviatt's biographical sketches of the early trustees made essential a more careful review of the published record of the first meeting of the trustees in Saybrook which began on November 11th and continued for three days. For present purposes the noteworthy fact about that history-shaping meeting is that besides Noyes three key figures in the founding "scene," were not on hand: Samuel Mather and Timothy Woodbridge -- both named in the Act of Liberty as "undertakers, partners, and trustees" -- and the pivotal Samuel Russel elected by the seven present as the eleventh trustee.

The absence of these men from the Saybrook meeting raises the interesting question -- "Did they participate in the pre-October 28th book-giving agreement"? Russel must be left for later discussion, but for Mather and Woodbridge the answer can hardly be affirmative because (1) both were almost certainly asked to be trustees by the organizing cabal for the good political reason that Hartford County, historically dominant in the affairs of the Colony, just had to be represented, (2) Mather during the 23 years of his membership never went to a meeting, and (3) Woodbridge first attended in 1703 and usually thereafter made trouble for the dominant coastal-towns party whenever he did thereafter.

The question about the book-donation agreement needs also to be asked about two trustees who did attend the Saybrook meeting -- Noadiah Russel and Joseph Webb. Its answer is that nothing exists to indicate that they did, but another and more important question here emerges, namely, why were they invited to be Yale "Founders"? For Noadiah Russel my guess is that Pierpont, a senior at Harvard when he was a freshman, decided that this "pious and holy" minister of Hartford County would help solve the problem of placating that part of the Colony and that he would play ball with his older colleagues among the five core promoters mentioned in Item 2.34 above.

As for Webb, it's quite clear that they picked him in their apparently late decision that all four Connecticut counties had to have members on the governing board. He was the minister in the town of Fairfield which was also the name of Connecticut's western-most county. The

key organizers included only Israel Chauncy of Stratford from that county. He probably suggested Webb for want of someone better. This hunch follows from the fact that Webb was only 34 years old or six years below the minimum age set for future trustees at the Saybrook meeting.

Indubitably Noadiah Russel and Webb and perhaps also Mather and Woodbridge contributed books to the library collection; but what about Samuel Russel in whose parsonage the ceremony of donation, so the story goes, took place? That question brings the discussion to the epicentric issue of this entire analysis which I state here and develop in the immediately following paragraphs: Did Samuel Russel act as host in his Branford parsonage at a book-giving meeting of the "undertakers and partners?"

4.34 Where and When Were the Books Donated? The question here stated differs, be it observed, from the antecedent one which I've underlined for emphasis. The reason is that Clap in his one statement about the books being given in Branford did not say that the event took place in Russel's parsonage or even that Russel was present. Rather, he wrote, that "the trustees . . . appointed the Rev. Mr. Russel of Branford to be the Keeper of the Library." Yale writers have interpreted this to mean that this happened during a meeting held in Russel's house, a quite plausible inference. Only accidentally did I discover the discrepancy between Clap's sentence of 1766 and the later tradition about the gift. The serendipity made it necessary for me to learn as much as possible about Russel and Branford.

The effort has brought five pieces of information to the fore. First, Russel and Branford made their first appearance in Yale's chronicles in a notation on the cover of the letter written by John Eliot in response to one from Abraham Pierson referred to in Item 2.33 above. Second, neither is mentioned again in relationship to the book donation until 1766 in Clap's History. Third, Pierson lived in Killingworth (now Clinton) up the coast of the Long Island Sound about 15 miles from Branford and 20 from New Haven. Fourth, Eliot addressed his letter on its cover to Pierson and in his absence to Mr. Samuel Russel there. Fifth, Russel was a Harvard classmate of Pierpont's, the recognized chief of the "undertakers." Sixth, the General Court composed of the Governor, Lieutenant Governor, six Assistants (senators), 52 members of the Lower House, plus clerks and the lawyers who had bills or other matters before the court -- never mind wives and children who wanted to see the thriving city of New Haven -- crowded the town's facilities.

Now for my theory. In his letter of September 17th Pierson had asked Eliot to send his requested advice about the projected institution to Branford where he would be stopping for what had to be one of three stated or unstated reasons: (1) becasue he'd be on route home from a meeting of his fellow organizers in New Haven, the meeting to which Clap referred; (2) he'd be on his way to that meeting; or (3) he'd be Russel's guest in Branford because of the crowded situation in New Haven.

The first of these reasons isn't tenable because, being a member of the Lower House, Eliot knew when it would convene and also that Pierson and his associates desired his ideas in drafting the bill for the Act of Liberty. The second seems improbable because Pierson undoubtedly wanted to get to New Haven as soon as possible to discuss with the group there Eliot's ideas along with those of the other four lawyers consulted about the draft. Thus the third possibility seems the most acceptable; but it throws the discussion back to the prior question of when the book-giving ceremony occurred.

A choice must be made among four possible answers: the event took place in Branford before Pierson got to New Haven, during his stay in Branford, on his way home after the New Haven meetings with his colleagues if not also after the sessions of the General Court, or no book-giving meeting ever occurred.

Because they have separated the time from the place of the alleged donation, Yale historians have not discussed these possibilities. Baldwin[1] and Smith,[2] for example, limited themselves to controverting the long-held belief that the ceremony occurred a year or more before the founding; and Dexter[3] placed it a few weeks previously. All, in short, accepted Clap's story of the Branford donation as fact. They questioned only his timing, but their inadequate attention to Branford per se led them to sanction the essence of Clap's thesis, namely, that the donation occurred before the passage of the Act of Liberty. No one before this to my knowledge has

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1. 201.480:420-21
2. 201.537:51.3
3. 201.475:23.2 + 201.543:8.5

forthrightly called the narrative of the Branford ceremony a Clapian stratagem which imaginative alumni have elaborated and cherished. That seems to me to be the most reasonable answer to the when-and-where question under review, and I believe that it will be substantiated in the discussion, herewith beginning, of the fifth and final component of Clap's casuistries.

5. Abatements, Misquotations, Distortions: I've no doubt at all that some, if not most, of those who have been patient enough to persist to the present page have already judged this analysis to be a needless if not deplorable exercise in preciosity. Deplorable it may well be, but I've undertaken it -- with great reluctance I must remark -- because its findings are inescapably needful for my purposes. These can now be stated more fully.

To begin with, I have no plans ever to write a history of Yale or another biography of Clap. Further, only two clusters of facts about Yale's founding concern me, namely, those that are indisputably verifiable and those relating to the participants in the founding, when, why, etc. In published articles, lectures, and the decade-old original draft of my academic government book I reported what the Yale historians I had read to date wrote on these topics; but I concluded quite some time back that for the final version of the book I needed to read more in original sources. That, I anticipated, would be a relatively brief business; but it has turned out to be the most drawn-out, frustrating -- yes, and deplorable -- task in which I've ever been ensnared.

The slow pace has resulted from the difficulty encountered in finding essential information. During my career I've been able to accumulate only about

a third as many items relating to Yale as to Harvard, and the Stanford collections haven't been of much help. I've been depending largely, therefore, upon the generosity of Yale people through the U.S. Snails. I still need to examine several elusive documents and commentaries, but those I've been able thus far to check through have made it clear that the crux of the problem lies in the five-pronged claim that Clap triumphantly established in his 1763 response to his critics:

> First, that ten ministers at a meeting in Branford formally contributed books for the library of the college they were in the process of designing.
>
> Second, that the donation occurred before the Connecticut legislature endorsed their project.
>
> Third, that the antecedent timing of the donation made the ministers and not Connecticut's civil government Yale's founders.
>
> Fourth, that under English law the founders of eleemosynary institutions alone possessed the right of visitation.
>
> Fifth, that therefore the Connecticut authorities could not send visiting committees to investigate Yale's affairs.

The complexity of Clap's argument did not become apparent until I got entangled in the time-consuming business of trying to reconstruct the course of events which culminated in Clap's brilliant coup. This has entailed foraging in scores of publications and organizing the scanty facts I've been able to find. Yale historians have been the best sources, but the accounts of even the most

authoritative of them have seemed to me to be both incomplete and too generous in dealing with Clap's history-twisting. For example, when the punishing jabs that Dexter et alii had landed on the head and body of Clap's multiplex argument seemed to make a knockout blow inevitable, they graciously pulled their punches. Such situations were, I concluded, understandable products of their natural filiopietistic sentiments; but inconsistencies and contradictions couldn't so easily be brushed aside. My unease about them increased upon rereading something that Smith wrote implying a relationship between Clap's argument and the Dartmouth College Case.

The passage includes a quotation from an address of Yale's great alumnus lawyer, Chancellor Kent, to the effect that in deciding the Dartmouth College Case the United States Supreme Court had "advanced and sustained" Clap's "doctrines."[1] Since I've long known that for a later chapter I must do more work on that towering landmark of American jurisprudence, the necessity of a more rigorous approach to Clap and his commentators became immediately imperative. Among other things this required arraigning and if possible explaining everything bearing upon Clap's claim that didn't resonate as authentically and clearly as, say, Yale's chapel bell.

Obviously this troublesome exegesis must be brought to a speedy close, and that precludes many further observations about the historiography of Dexter and his associates. Therefore only the first of the three items below directly relates to it. Those labeled "Misquotations" and "Distortions" focus on two of Clap's tactical devices.

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1. Universities and Their Sons, edited by Josiah L. Chamberlain, 1898, 1:240.

5.1 Abatements: The crux of Clap's argument is his assertion that books were given before the passage of the Act of Liberty. The number of ministers making donations, the number of books given, and even the place of the donating ceremony are ancillary questions which, however, must be probed in dissecting the crucial question of timing.

Dexter, Baldwin, and Smith all expressed their strong reservations if not doubts about Clap's timing statements; but none suggested the possibility that the event never occurred. Unless I'm very much mistaken, that can only mean either that they did not consider the options available in explaining why Eliot addressed Pierson at Branford (See Item 4.34 above), or that in their published papers they decided to abate the conclusions they had reached. Which of these is the more tenable interpretation need not here be discussed, but the caption used for these two paragraphs shows my preference.

5.2 Misquotations:

5.21 The 1745 Charter: In his Religious Constitution of Colleges Clap quoted this most important of all Yale documents only once and briefly: he substituted the word "choose" for "appoint."[1] The reason for his revision is important but does not relate directly to the subject of this memorandum. I cite the switch not to lint-pick but only to point out that Clap here used full quotation marks to indicate, undoubtedly, that he was reproducing a passage from the source he named. Thus he gave readers the impression -- and must

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1. 201.485:8.5

have meant to -- that whenever he employed these quotation marks, he was following the original faithfully.

5.22 The Act of Liberty: This Clap quoted twice, once in his 1754 pamphlet and again 12 years later in his History. His slight change in the first consisted in substituting "upon the desire of" for "upon the petition of," but immediately thereafter he so flagrantly misquoted a longer passage that I'll be discussing it as a distortion.

The quotation from the History also differs only a little from the opening paragraph of the Act, but here Clap used half-quotation marks.[1] Through several readings I assumed that between 1754 and 1766 he had decided to employ double sets of inverted commas for an exact quotation and sets of single commas for the substance of the statement he had alluded to. This theory, however, had to be abandoned when I discovered that twice on surrounding pages of his History he employed double quotation marks.[2] I also found that in his 1754 pamphlet he had hedged the quotation referred to in the preceding paragraph by introducing it with the words "predicated upon." He did the same at least once in his History. If I could read the book in its entirety, probably more examples of this artifice would be uncovered.

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1. 201.487A:4.5

2. 201.487A:5.1 & 71.12

It could, of course, be contended that these minor word changes and different methods of indicating quotations should be written off as carelessness. In view of Clap's tactics in general, however, it seems more reasonable to label them maneuvers intended to lead readers down the garden path to the conclusions he wanted them to reach.

5.23 A Historiographic Brevity: For an established scholar Smith also dealt strangely with quotation marks. In his 1901/1908 paper he reproduced two full pages of Clap's History but eliminated quotation marks therein.[1] An oversight? Perhaps, but the puzzles I've described in Item 1.32 still hover and here expand to include the possibility that Smith made a number of concessions to preserve Clap's reputation or, more likely, the Branford donation myth.

5.3 Distortions:

5.31 The Act of Liberty: This has been referred to in Item 5.21 above and can most readily be seen by comparing the words of the Act with those Clap -- within full quotation marks -- embodied in his 1754 pamphlet. The Act reads:

> . . . that there be and hereby is Liberty Right and Priviledge granted unto [the ten ministers here named] inhabitants within y^{e} s^{d} Colony Proposed to stand as Trustees Partners or Undertakers for the s^{d} School to them and their successors, to ERECT form direct, order establish improve and att all times in all suitable wayes for the future to Encourage the s^{d} School. . . .[2]

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1. 201.537:39-41

2. 206.1459:7

This is Clap's rendition:

> And that, all due Encouragement, might be given, to such pious Resolution; and that so necessary, and Religious an Undertaking, may be Forwarded; Full Liberty is given, to said Ten Ministers nominated, (and to their Successors, chosen by themselves) to F O U N D, Erect, Order, and Govern, a Collegiate-School. . . .

Observe that by means of underlining and capitalization Clap made two vital changes: he introduced the adjective "religious" and he made "erect" read "found." Further, he highlighted "found" not only by capitalizing it but also by spacing out its letters.

Why these revisions? Because in 1754 Clap began his crusade to prove that the ministers and not the General Court had founded Yale and, moreover, that their "main design" was to keep it faithful to strict Calvinism.

5.32 The Fitch Deed: On October 16, 1701 James Fitch of Norwich, Connecticut signed an instrument conveying land and materials for the construction of a building for the Collegiate School. Clap quoted from the instrument twice in his History: First, on page 5 he inserted "the Ministers" in a place where their part in the establishment of Yale would stand out more prominently, and he also put a long misquotation within double quotation marks.[1] Second, on page 71 he added the words in single quotation marks 'already set up' to indicate that Fitch made his gift before the Act of Liberty became law.[2]

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1. 206.1459:7

2. 201.485:8

Incidentally, Smith here too dropped essential quotation marks.

5.33 Money Given As Well as Books and Land: No record seems to exist reporting that any money had been given to the trustees before the action of the General Court. Indeed, no shadow of such money falls across the pages of anything written about the founding previous to Clap's 1766 assertion that "the College has a Being. . . . by the Donation of Books, Money and Land actually made it, before it had a charter."[1]

5.34 The First Meeting of the Trustees: This, as reported, spread over three days beginning on November 11, 1701. Referring to it in his 1754 pamphlet Clap, using double quotation marks, wrote:

> Their End, and Design in it; [the Collegiate School] is, to propagate, the blessed, Reformed, and Protestant Religion, in the Purity, of its Order, and Worship.

This is such a thorough distortion of original text that I can't find anything with which to compare it, and in weariness from the search I move on to the conclusion of this over-long and altogether vexatious pursuit of the venerable Thomas Clap, historian.

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To think of this analysis as an attack upon the Branford Tradition per se would be a serious mistake. Without benign myths, legends, and their allied explanations of great events and mysteries, societies would be impossible.

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1. 201.485:8

But spurious traditions establish fallacious courses of action which can, and often do, metastasize calamitously. One among many possible illustrations of this verity will here suffice -- the Donation of Constantine which corrupted medieval Christianity for six centuries.

I believe it demonstrable that the Branford Tradition corrupted Yale's polity for at least two centuries and that in keeping with its commitment to light and truth blazoned on its seal in two learned languages, Yale should give thought to following the example of the Roman Catholic Church when it exposed the Constantine forgery. That would involve little more than rewriting pages 126-27 of the present edition of the Yale catalogue and somewhat revising the pamphlet which reproduces Yale's basic documents.

This suggestion, if not the present memorandum in its entirety, could easily be dismissed as an emphatically objectionable, impious invasion of Yale's sacred precincts. I sincerely hope that that will not happen, but in any case it now seems certain that I shall be showing in my book that the distortions and contortions of Thomas Clap infused disastrous illusions into the study of American Academic government.

June 4, 1971
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